

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 1:05 CR 0083
	)	
LOUAY HABBAL,	)	
	)	
Defendant.	)	

STATEMENT OF FACTS

Should this matter have proceeded to trial, the United States would have proved the following beyond a reasonable doubt:

1. From on or about December, 2003 through on or about March, 2005, Louay Habbal conducted, controlled, managed, supervised, directed and owned Mena First Capital d.b.a. Mena Exchange, a money transmitting business, located at 2739 Pembsly Drive, Vienna, Virginia, in the Eastern District of Virginia.

2. From on or about December, 2003, through on or about March, 2005, Habbal advertised Mena Exchange by, among other ways, displaying the website MenaExchange.com.

3.  
From on or about December, 2003 through on or about March, 2005, Habbal received money in the United States from customers to transfer overseas to places including, but not limited to, Europe, Lebanon and Syria.

4. Under Virginia Code § 6.1-371, no business may engage in the business of money transmitting without first obtaining a license from the Virginia State Corporation Commission.

Under Virginia Code § 6.1-375, any person who engages in the business of money transmitting without first obtaining a license from the Virginia State Corporation Commission is guilty of a misdemeanor.

5. On or about December, 2003, Habbal sought the advice of an attorney in connection with his money transmitting business, Mena Exchange. He was advised at this time that he was not in compliance with local laws. Thus, since at least December, 2003, Habbal knew that he was required to have a license from the Virginia State Corporation Commission in order to engage in the business of money transmitting in Virginia, and that engaging in the business of money transmitting in Virginia without such a license was a violation of law.

7. From on or about December, 2003 until on or about March, 2005, Mena Exchange received approximately \$6,354,353.00 million from customers wishing to transfer money outside of the United States. In furtherance of Habbal's money transmitting business, those funds were deposited into the following three bank accounts:

<b>Bank</b>	<b>Account Number</b>	<b>Account Name</b>
United Bank	*****1658	Mena First Capital, LLC
Bank of America	*****5733	Mena First Capital d/b/a Mena Exchange
Bank of America	*****1740	Mena First Capital d/b/a Mena Exchange

8. From on or about December, 2003, until on or about March, 2005, in furtherance of his money transmitting business, Habbal caused a total of approximately \$6,354,353.00 million

to be transferred from certain bank accounts in the United States to individuals and entities located in Europe, France, Lebanon, Syria and other States within the United States, without a money transmitting license from the Virginia State Corporation Commission.

9. The bank accounts from which the approximate \$6,354,353.00 was transferred were:

<b>Bank</b>	<b>Account Number</b>	<b>Account Name</b>
United Bank	*****1658	Mena First Capital, LLC
Bank of America	*****5733	Mena First Capital d/ba Mena Exchange
Bank of America	*****1740	Mena First Capital d/ba Mena Exchange

10. From on or about December, 2003, through on or about March, 2005, Habbal received commission payments totaling approximately \$126,000 in connection with Mena Exchange.

11. On March 3, 2005, agents from the Baltimore/ Washington High intensity Drug Trafficking Area Task Force seized money from bank accounts used in furtherance of Habbal's money transmitting business, as specified below:

<b>Amount Seized</b>	<b>Owner Account Number</b>	<b>Institution</b>
\$4,217.44	*****1658	United Bank
\$10,358.91	*****1740	Bank of America
\$99,661.30	*****5733	Bank of America

12. The money seized and described in the preceding paragraph represents, and is traceable to, or is a substitute asset for funds collected (and commission payments received) from customers of Habbal and Mena Exchange seeking to wire funds outside the United States, obtained from those customers in furtherance of the illegal money transmitting business that Louay Habbal conducted, controlled, managed, supervised, directed, and owned in whole or in part.

Respectfully submitted,

Paul J. McNulty  
United States Attorney

By: \_\_\_\_\_  
Steven D. Mellin  
Assistant United States Attorney

By: \_\_\_\_\_  
Jessica Lombardo  
Special Assistant United States Attorney

Defendant's Signature: After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Louay Habbal and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

\_\_\_\_\_  
Louay Habbal

Defense Counsel Signature: I am Louay Habbal's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

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Thomas Abbenante  
Attorney for Louay Habbal